

**WILLMAR CITY COUNCIL PROCEEDINGS**  
**COUNCIL CHAMBERS**  
**WILLMAR MUNICIPAL UTILITIES BUILDING**  
**WILLMAR, MINNESOTA**

January 4, 2016  
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Ron Christianson, Denis Anderson, Audrey Nelsen, Andrew Plowman, Tim Johnson, Steve Ahmann, and Rick Fagerlie. Present 8, Absent 1. Council Member Shawn Mueske was excused from the meeting.

Also present were City Administrator Larry Kruse, City Clerk Kevin Halliday, Finance Director Steve Okins, Police Chief Jim Felt, Fire Chief Frank Hanson, Public Works Director, Sean Christensen, Community Education and Recreation Director Steve Brisendine and City Attorney Robert Scott.

Additions and deletions to the agenda included Item number 11, Consideration of Amending Ordinance to the City Charter being pulled from the Agenda due to lack of full Council. The item will brought back at the January 19, 2016 meeting.

Council Member Anderson offered a motion to adopt the Consent Agenda which included the following items: City Council Minutes of December 21, Willmar Municipal Utilities Board Minutes of December 28, Rice Memorial Hospital Board Minutes of December 16, Application for Exempt Permit – Pheasants Forever Inc., Accounts Payable Report through December 31, and committee applications for both appointment and reappointment.

Council Member Nelsen questioned the time frame to review the tabled motion from the December 21, 2016 Council meeting relating to the Bolton and Menk professional services contract and the final land release for the airport. Mayor Calvin stated this will be reviewed at the next Finance Committee meeting and brought back to full Council at the following meeting.

Council Member Ahmann questioned an application for appointment to the Municipal Utilities Commission as the application stated he was asked by his supervisor to apply to replace a resigning commissioner who represented a large company. City Administrator Larry Kruse informed the Council that he had a conversation with this individual and his qualifications are much broader than what was submitted on the original application. An updated application will be presented for consideration at the next Council meeting.

At 7:07 p.m. Mayor Calvin opened the hearing for consideration of a Nuisance Administrative Fee Ordinance. City Clerk Kevin Halliday updated the Council on the added Kandiyohi County \$10.00 fee for each parcel certified for a lien in the subsequent year. This includes grass/weed mowing, snow removal/cleanup, infected tree removal, garbage clean up, and any unpaid utility lien referred from the Municipal Utilities Commission. The City Attorney has prepared an Amending Ordinance for the various sections of the Municipal Code that deal with these abatements and replaces it with language that would allow the Council to set the fee by resolution.

There being no one to speak for or against the ordinance amendment, Mayor Calvin closed the hearing at 7:08 p.m. and opened it up for discussion by the Council. Council Member Fagerlie offered a motion to adopt, assign a number and order final publication of the Ordinance Amending Chapters 9 and 16 of the Municipal Code. Council Member Ahmann seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

There were no requests to speak during the Open Forum.

City Administrator Larry Kruse informed the Council that the City is required to appoint one person designated to be in charge of data practices and is responsible for release of data. It is staff's recommendation to appoint the new City Administrator to this responsibility.

Resolution No. 1 was introduced by Council Member Anderson, seconded by Council Member Christianson, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 1

APPOINTING A RESPONSIBLE AUTHORITY

WHEREAS, Minnesota Statutes, Section 13.02, Subd. 6, requires that the City of Willmar appoint one person as the Responsible Authority to administer the requirements for collection, storage, use and dissemination of data on individuals within the City; and

WHEREAS, the City Council of the City of Willmar shares the concern expressed by the Legislature on the responsible use of all City data and wishes to satisfy this concern by immediately appointing an administratively and technically qualified Responsible Authority as required under the Statute.

BE IT RESOLVED by the City Council of the City of Willmar Minnesota, that the City Administrator Larry Kruse be appointed as the Responsible Authority for the purpose of meeting all requirements of Minnesota Statutes, Sections 13.02-13.87, as amended, and with rules as lawfully promulgated by the Commissioner of Administration as published in the State Register.

Dated this 4th day of January, 2016.

/s/ Marv Calvin  
Mayor

/s/ Kevin Halliday  
Attest: City Clerk

City Clerk Kevin Halliday presented the proposed 2016 Fee Schedule which establishes fees for City services, permits and licenses, and rental rates for City equipment to the Council for consideration. Clerk Halliday pointed out several things for discussion including the inclusion of the \$75 Administrative Fee just approved in the Ordinance Amendment and the other main changes are under the Fire Department and a decrease in towing fees.

Following some discussion by the Council, Resolution No. 2 was introduced by Council Member Fagerlie, seconded by Council Member Nelsen, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 2

WHEREAS, the City Council of the City of Willmar duly establishes fees for service, sets fees for permits and licenses, and establishes rental rates for City equipment.

NOW, THEREFORE, BE IT RESOLVED that the below listed fees be duly adopted for the year 2016 and the same hereby ordered kept on file in the office of the City Clerk-Treasurer.

CITY CLERK:

Liquor License Investigation Fees:  
Sole Proprietor  
Partnership  
Corporation  
Limited Liability Company

\$100.00  
150.00  
300.00  
300.00

Liquor Licenses:	
On-Sale Liquor	\$4,000.00 per year
Off-Sale Liquor	950.00 per year
Club On-Sale Liquor	300.00 per year
On-Sale Wine	200.00 per year
On-Sale Sunday	200.00 per year
On-Sale 3.2% Malt Liquor	150.00 per year
Temporary On-Sale Liquor	100.00 per year
On-Sale Taproom	150.00 per year
Off-Sale Taproom	150.00 per year

ADMINISTRATIVE FEES:

Chapter 9, Article I, Section 9-3

Nuisance Abatement — Administrative Fee	\$75.00
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Chapter 9, Article III, Section 9-43

Removal of Weed/Grass Nuisance — Administrative Fee	\$75.00
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Chapter 9, Article VI, Section 9-66

Removal of Infected Trees — Administrative Fee	\$75.00
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Chapter 9, Article I, Section 13-2

Payment for Current Service — Administrative Fee	\$75.00
(snow removal, sidewalk repairs, etc.)	

PUBLIC WORKS:

Maintenance Trucks:

3 –5 Ton Trucks	\$ 35.00/hour
1 Ton Truck	18.00/hour
3 –5 Ton Truck/Plow/Sander	41.00/hour
3 –5 Ton Truck/Plow/Sander/Wing	55.00/hour
1 Ton Truck Plow	27.00/hour
½ - ¾ Ton Pickup	17.00/hour
1 Ton /Water Tank	27.00/hour

Tractors, Loaders, Motor Graders:

2 –3 CY Loaders	\$ 82.00/hour
Loader/Plow/Wing	102.00/hour
Loader/Snow Blower	122.00/hour
Motor Grader	96.00/hour
Motor Grader/One-Way Plow	102.00/hour
Motor Grader/One-Way Plow/Wing	115.00/hour
40-50 Hp Tractor	21.00/hour
40-50 Hp Tractor/Attachments	35.00/hour
MT Trackless/Blower/Mower	61.00/hour
90 Hp Tractor/22' Flail Mower	55.00/hour
30-40 Hp Unit Mower/Blower/Sweeper	35.00/hour
Skid-Loader	35.00/hour
Skid-Loader/Attachments	50.00/hour
Snowplowing Sidewalks (incl. labor and equipment)	0.60/LF

Specialty Equipment:

Air Conveyance Unit	\$ 55.00/hour
Elgin Sweeper (4 CY)	\$ 70.00/hour
Hydraulic Sewer Cleaner	68.00/hour
Sewer Rodder	41.00/hour

Paint Sprayer	9.00/hour
Paint Sprayer and 1 Ton Truck	27.00/hour
50' Bucket Truck	70.00/hour
30' Bucket Truck	41.00/hour
Brush Chipper	29.00/hour
Tamper	9.00/hour
Bituminous Distributor and Truck (less material)	50.00/hour
Bituminous Roller	55.00/hour
Grass and Leaf Pickup Broom	29.00/hour
Chain Saws	10.00/hour
Trailers	12.00/hour
Over Seeder	29.00/hour
Turf Pro	29.00/hour
Gator and Sprayer	27.00/hour
Generator	9.00/hour
Trash Pumps	9.00/hour
Utility Vehicle with Crane Hoist	42.00/hour
Air Compressor	25.00/hour
Materials:	
Winter Sand Mixed with Salt	\$55.00 CY
Gravel	20.00/Ton
Bituminous Cold Mix	105.00/Ton
Chalk Dust (50lb. bag)	7.00/bag
Diamond Dry (50lb. bag)	13.00/bag
Bituminous Repair (incl. labor and equipment)	55.00/SY
Facilities or Equipment:	
Bleachers – 3 or 5 High	\$27.00/day
Minimum moving charge	75.00/day
Picnic Tables – Rental per table (12 maximum) (for pickup only-no delivery)	10.00/day
Barricades	\$ 2.00/day
Minimum charge for hauling barricades	20.00
Lights for ball fields	\$25.00/day for each field
Labor:	
Regular	Contract rate plus 53%
Overtime	Contract rate plus 53%
Access Fees:	
Industrial Park Storm Pond	\$ 835.00/acre
Radio Station Drive Lift Station	595.00/acre
Abbott Drive, Lift Station	895.00/acre
Wastewater Treatment:	
5,000 gallon tanker with hydraulic boom:	\$ 30.00/hour
Portable Lab Sampler	\$ 5.00/hour
Airport:	
Conference Room	\$40.00/non-airport related meetings

### COMMUNITY EDUCATION AND RECREATION:

Adult recreation programs will charge cost of program, officials, balls, sanctioning fees, etc., plus \$7.00 per team court fee for volleyball/basketball and \$10.00 per team field fee for softball.

Baseball/Softball Fields	Minimum \$ 50.00 or \$30.00 per game With a \$250.00 daily rate
Robbins Island Enclosed Shelters	\$100.00/day April – November and \$50.00 damage deposit
Open Shelter No. 1 (has electricity)	\$32.00/day and \$50.00 damage deposit
Open Shelter No. 2 & Lions Shelter (no electricity)	\$20.00/day and \$50.00 damage deposit
Showmobile:	
Events in Willmar (not for profit) (Plus Clean-up/Damage Deposit) Plus Staff Costs	\$215.00/day + staff expenses 200.00
Events in Willmar (for profit)	\$500.00/day + staff expenses
Civic Center:	
Dry floor events	\$580.00/day
Ice Rental	\$145.00/hour
<u>Blue Line</u>	
Dry Floor events	\$400.00/day
Ice Rental	\$145/hour
Aquatic Center:	
Individual season pass	\$ 85.00
Family of 2	125.00
Family of 3	135.00
Family of 4	145.00
Family of 5	155.00
Family of 6	165.00
Each Additional Family Member	15.00
Daily Admission Rate	3.00
Observers	3.00
Group Admission	2.50
Discount Coupons:	
10 Coupons	\$ 25.00
20 Coupons	45.00
Pool Rental:	
2-hour minimum	\$100.00 per hour plus guard/staff fees

### FIRE DEPARTMENT:

Firefighter hours that are billed are taken directly from the roll call list.

Firefighters receive a \$14.30 per hour and are paid in one-hour increments.

Equipment:	<u>First Hour</u>	<u>Additional Hour</u>
1 <sup>st</sup> line pumper - 5251, 5257	\$300	\$200/hour
Tanker/pumpers 5276	300	200/hour
Ladder trucks – 5298 and 5299	500	400/hour
Grass rig - 5285	150	100/hour

Support Vehicles – 5296, 5297	75	50/hour
Trailers	75	50/hour

Equipment charges are billed by the quarter hour as time listed on the fire report, after initial one-hour charge.

Special equipment and supplies used will be billed on a cost basis.

A ~~25% administrative fee will be added to~~ \$25.00 per hour per Firefighter for fire watch/standby conducted by the Fire Department for special events and any standby conducted during fire protection/detection system downtown down time (as described in the Minnesota State Fire Code).

Training Room Rental Fee: \$50.00 per hour with a 2 hour minimum

Fire Alarm Permit	\$ 30.00
Fire Alarm Permit Renewals	\$ 30.00 every 3 years
Alarm Malfunction	\$500.00
Bottle Filling Fees	<u>2216 PSI air tank filling fee \$5.00/bottle</u> <u>3000 PSI air tank filling fee \$10.00/bottle</u> <u>4500 PSI air tank filling fee \$15.00/bottle</u> <u>5000-6000 PSI air tank filling fee \$25.00/bottle</u>
<del>3000 PSI (only) air tank filling fee</del>	<del>\$15.00</del>

Fire Reports \$ 0.25/page plus postage

POLICE DEPARTMENT:

\$60.00 per hour for off-duty police officers  
\$ 1.40 Automated Pawn Transaction Fee-each electronic reportable transaction

Contracted Towing (Per tow)	\$ <del>45.00</del> <u>25.00</u> per towed vehicle \$ <del>61.52</del> <u>68.57</u> towing administrative fee \$ <del>8.48</del> <u>6.43</u> tax
Base Total	<del>\$115.00</del> <u>100.00</u>

Possible extra tow costs depending upon circumstances involved:

\$160.00 per hour for “extra work” labor  
\$160.00 per hour for flat hourly tow rate  
\$ 5.50 per mile outside of City limits  
\$ 10.00 per day storage fee after 48 hours

Dated this 4th day of January, 2016.

/s/ Marv Calvin  
Mayor

/s/ Kevin Halliday  
Attest: City Clerk

Public Works Director Sean Christensen presented information relating to the Transportation Alternatives Program which provides funds for transportation alternatives for pedestrians, bicyclists and other non-motorized forms of transportation to be constructed in 2019. The City is applying for a trail along Highway 12 East beginning at the intersection of Lakeland Drive and continuing along the south side to the intersection of Highway 12 and 23<sup>rd</sup> Street SE. This intersection will serve as the connection point in the Willmar Trail System and would provide approximately 2,150 feet of green corridor along with pedestrian pathway facilities. Staff was recommending two resolutions be approved by the Council, one being the

authorization for the City as the sponsoring agency to assume full responsibility for the operation and maintenance of the property and facilities related to the project, and the second to approve the project as proposed and include a willingness to secure and guarantee the local share of the costs (20% match) and the responsibility for seeing this project through to its completion.

Resolution No. 4 was introduced by Council Member Fagerlie, seconded by Council Member Nelsen, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 4

WHEREAS: The Federal Highway Administration (FHWA) requires that states agree to operate and maintain facilities constructed with federal transportation funds for the useful life of the improvement and not change the use of right of way or property ownership acquired without prior approval from the FHWA; and

WHEREAS: Transportation Alternatives projects receive federal funding; and

WHEREAS: the Minnesota Department of Transportation (MnDOT) has determined that for projects implemented with alternative funds, this requirement should be applied to the project proposer; and

WHEREAS: City of Willmar is the sponsoring agency for the Transportation  
*Alternatives project identified as Highway 12 East Trail*

THEREFORE BE IT RESOLVED THAT the sponsoring agency hereby agrees to assume full responsibility for the operation and maintenance of property and facilities related to the aforementioned Transportation Alternatives project.

Dated this 4th day of January, 2016.

/s/ Marv Calvin  
Mayor

/s/ Kevin Halliday  
Attest: City Clerk

Resolution No. 5 was introduced by Council Member Anderson, seconded by Council Member Christianson, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 5

BE IT RESOLVED that the City of Willmar agrees to act as a sponsoring agency for a "Transportation Alternatives" project identified as Highway 12 East Trail and has reviewed and approved the project as proposed. Sponsorship includes a willingness to secure and guarantee the local share of costs associated with this project and responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules and regulations.

BE IT FURTHER RESOLVED that the City of Willmar is hereby authorized to act as agent on behalf of this sponsoring agency.

Dated this 4<sup>th</sup> day of January, 2016

/s/ Marv Calvin  
Mayor

/s/ Kevin Halliday  
Attest: City Clerk

Announcements for Council Committee meeting dates were as follows: Finance, 4:45 p.m. at City Hall, January 11; Public Works/Safety, 4:45 p.m. at City Hall, January 12; Labor Relations, 4:45 p.m. at City Hall, January 13, Community Development, 4:45 p.m., at City Hall, January 14, 2015; City Council Meeting will be held Tuesday, January 19<sup>th</sup> due to the Federal Holiday.

Council Member Anderson offered a motion to adjourn the meeting with Council Member Johnson seconding the motion, with carried. The meeting adjourned at 7:28 p.m.

Attest:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
SECRETARY TO THE COUNCIL